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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of: )  
 )  
McLAUGHLIN et al. )  
 )  
Serial No.: 09/646,141 )  
 )  
Filed: September 13, 2000 )  
 )  
Atty. File No.: 3699-2-PUS )  
 )  
For: "COPY PROTECTABLE OPTICAL )  
MEDIA DEVICE AND )  
METHODOLOGY THEREFOR" )

Group Art Unit: 2652

Examiner:

INFORMATION DISCLOSURE  
STATEMENT

Express Mail Label: EV227133465US

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Assistant Commissioner for Patents  
Washington, D. C. 20231

Sir:

The references cited on attached Form PTO-1449 are being called to the attention of the Examiner.

Copies of the cited references:

☒ Are enclosed herewith.

☐ Are not enclosed, in accordance with 37 C.F.R. 1.98(d), because the references were submitted to the U.S. Patent and Trademark Office in prior application Serial No. \_\_\_\_\_ filed \_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120

☐ To the best of applicants' belief, the pertinence of the foreign-language references are believed to be summarized in the attached English abstracts and in the figures, although applicants do not necessarily vouch for the accuracy of the translation.

☒ Examiner's attention is drawn to the following co-pending applications, copies of which have been or are being submitted:

Serial No. 09/163,087 filed September 29, 1998

Serial No. 10/057,054 filed January 15, 2002

Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should an inference be drawn as to the pertinence of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

### FEES

|                                     |   |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <p>37 CFR 1.97(b): No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith is satisfies one of the following conditions ("X" indicates satisfaction):</p> <ul style="list-style-type: none"><li><input type="checkbox"/> Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or</li><li><input type="checkbox"/> Within three months of the date of entry into the national stage of an international application as set forth in 37 CFR 1.491 or</li><li><input checked="" type="checkbox"/> Before the mailing date of a first Office Action on the merits, or</li><li><input type="checkbox"/> Before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114.</li></ul> <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p>  |
| <input type="checkbox"/>            | <p>37 CFR 1.97(c): The information disclosure statement transmitted herewith is being filed after all the above conditions (37 CFR 1.97(b)), but before the mailing date of one of the following conditions:</p> <ul style="list-style-type: none"><li>(1) a final action under 37 C.F.R. 1.113 or</li><li>(2) a notice of allowance under 37 C.F.R. 1.311, or</li><li>(3) an action that otherwise closes prosecution in the application.</li></ul> <p>This Information Disclosure Statement is accompanied by:</p> <ul style="list-style-type: none"><li><input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</li></ul> <p style="text-align: center;">OR</p> <ul style="list-style-type: none"><li><input type="checkbox"/> A check in the amount of \$180.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970.</li></ul> |
| <input type="checkbox"/>            | <p>37 CFR 1.97(d): This Information Disclosure Statement is being submitted after the period specified in 37 CFR 1.97(c).</p> <ul style="list-style-type: none"><li><input type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e)</li></ul> <p style="text-align: center;">AND</p> <ul style="list-style-type: none"><li><input type="checkbox"/> Applicants hereby requests consideration of the reference(s) disclosed herein. Enclosed is the fee in the amount of \$180.00 under 37 C.F.R. 1.17(p). Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970.</li></ul> <p>Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification.</p>   |

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**Certification (37 C.F.R. 1.97(e))**  
(Applicable only if checked)

☐ The undersigned certifies that:

☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).

☐ A copy of the communication from the foreign patent office is enclosed.

OR

☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,

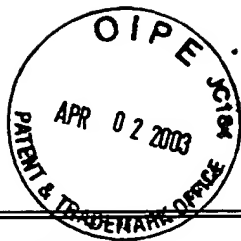
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Date: April 2, 2003

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SHEET 1 OF 2

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|--|-----------------------------------|--------------------------|
| FORM PTO-1449<br>U.S. DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE<br><br>INFORMATION DISCLOSURE STATEMENT<br>(Use several sheets if necessary) | ATTY. DOCKET NO.<br>3699-2-PUS    | SERIAL NO.<br>09/646,141 |
|  | APPLICANT<br>McLAUGHLIN et al.    |                          |
|  | FILING DATE<br>September 13, 2000 | GROUP ART<br>2652        |

## U.S. PATENT DOCUMENTS

| *EXAMINER<br>INITIAL |  | DOCUMENT<br>NUMBER | DATE | NAME | CLASS | SUB<br>CLASS | FILING DATE<br>IF APPROP. |
|----------------------|--|--------------------|------|------|-------|--------------|---------------------------|
|                      |  |                    |      |      |       |              |                           |
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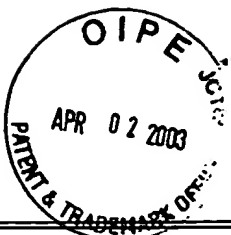
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## FOREIGN PATENT DOCUMENTS

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|  |    | DOCUMENT<br>NUMBER | DATE           | COUNTRY | CLASS | SUB<br>CLASS | TRANSLATION      |    |
|--|----|--------------------|----------------|---------|-------|--------------|------------------|----|
|  |    |                    |                |         |       |              | YES              | NO |
|  | 1  | DE 3720233         | Dec. 22, 1988  | Germany | G06F  | 12/14        | Abstract<br>Only |    |
|  | 2  | JP 1153767         | Jun. 15., 1989 | Japan   | C09D  | 5/24         | Abstract<br>Only |    |
|  | 3  | JP 1211285         | Aug. 24, 1989  | Japan   | G11B  | 23/00        | Abstract<br>Only |    |
|  | 4  | JP 1252902         | Oct. 9, 1989   | Japan   | G02B  | 5/18         | Abstract<br>Only |    |
|  | 6  | JP 2018728         | Jan. 23, 1990  | Japan   | G11B  | 7/24         | Abstract<br>Only |    |
|  | 6  | JP 4128834         | Apr. 30, 1992  | Japan   | G03C  | 1/685        | Abstract<br>Only |    |
|  | 7  | JP 4318342         | Nov. 9, 1992   | Japan   | G11B  | 7/24         | Abstract<br>Only |    |
|  | 6  | JP 5101471         | Apr. 23, 1993  | Japan   | G11B  | 11/10        | Abstract<br>Only |    |
|  | 9  | JP 5297627         | Nov. 12, 1993  | Japan   | G03G  | 9/08         | Abstract<br>Only |    |
|  | 10 | JP 6082952         | Mar. 25, 1994  | Japan   | G03C  | 1/73         | Abstract<br>Only |    |

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|---|-----------------|
| EXAMINER  | DATE CONSIDERED |
| *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |                 |

SHEET 2 OF 2

|  |                                   |                          |
|--|-----------------------------------|--------------------------|
| FORM PTO-1449<br>U.S. DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE<br><br>INFORMATION DISCLOSURE STATEMENT<br>(Use several sheets if necessary) | ATTY. DOCKET NO.<br>3699-2-PUS    | SERIAL NO.<br>09/646,141 |
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|  |    |             |               |       |      |       |                  |  |
|--|----|-------------|---------------|-------|------|-------|------------------|--|
|  | 11 | JP 8147856  | Jun. 7, 1996  | Japan | G11B | 19/02 | Abstract<br>Only |  |
|  | 12 | JP 9011619  | Jan. 14, 1997 | Japan | B41M | 5/26  | Abstract<br>Only |  |
|  | 13 | WO 01/29828 | Apr. 26, 2001 | PCT   | G11B | 3/70  |                  |  |
|  |    |             |               |       |      |       |                  |  |

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

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